



## **DEPARTMENT OF AGRICULTURE**

### **Food and Nutrition Service**

#### **7 CFR Part 225**

#### **RIN 0584-AE72**

### **Streamlining Program Requirements and Improving Integrity in the Summer Food Service Program; Correction**

**AGENCY:** Food and Nutrition Service (FNS), Department of Agriculture (USDA).

**ACTION:** Correcting amendments.

**SUMMARY:** The Food and Nutrition Service (FNS) is correcting regulations that published in a final rule in the Federal Register of September 19, 2022, and went into effect in the Code of Federal Regulations (CFR) on October 1, 2022. The rule amended the Summer Food Service Program (SFSP) regulations to strengthen program integrity by clarifying, simplifying, and streamlining program administration to facilitate compliance with program requirements.

**DATES:** Effective [Insert date of publication in the Federal Register].

**FOR FURTHER INFORMATION CONTACT:** Anne Fiala, 703-305-2590, [anne.fiala@usda.gov](mailto:anne.fiala@usda.gov).

**SUPPLEMENTARY INFORMATION:** The final rule that appeared in the Federal Register on September 19, 2022 (87 FR 57304), included non-substantive revisions to the introductory text of 7 CFR 225.16(d) that made the text consistent with other references in part 225 and used plain language. In making this change, paragraphs (d)(1) through (3) of § 225.16 were inadvertently removed leaving only the introductory text of § 225.16(d). This document corrects that error and restores the entirety of § 225.16(d). To conform with current Federal Register requirements, tables found in these restored paragraphs are revised to include headings that note their citation in 7 CFR part 225.

In addition, the definition of “documentation” in § 225.2 is renumbered to reflect the correct paragraph structure requirements for the Code of Federal Regulations. Finally, a separate, special memorandum will be issued in the future to correct a formatting error in table 1 to paragraph (e)(6)(iv) of § 225.7.

### **List of Subjects in 7 CFR Part 225**

Food assistance programs, Grant programs—health, Infants and children, Labeling, Reporting and recordkeeping requirements.

Accordingly, for reasons stated in the preamble, FNS amends 7 CFR part 225 by making the following technical corrections:

### **PART 225 – SUMMER FOOD SERVICE PROGRAM**

1. The authority citation for part 225 continues to read as follows:

**Authority:** Secs. 9, 13 and 14, Richard B. Russell National School Lunch Act, as amended (42 U.S.C. 1758, 1761 and 1762a).

2. In § 225.2, revise the definition of “Documentation” to read as follows:

#### **§ 225.2 Definitions.**

\* \* \* \* \*

*Documentation* means:

(1) The completion of the following information on a free meal application:

- (i) Names of all household members;
- (ii) Income received by each household member, identified by source of income (such as earnings, wages, welfare, pensions, support payments, unemployment compensation, social security and other cash income);
- (iii) The signature of an adult household member; and
- (iv) The last four digits of the Social Security number of the adult household member who signs the application, or an indication that the adult does not possess a Social Security number; or

(2) For a child who is a member of a household receiving SNAP, FDPIR, or TANF benefits, “documentation” means completion of only the following information on a free meal application:

- (i) The name(s) and appropriate SNAP, FDPIR, or TANF case number(s) for the child(ren); and
- (ii) The signature of an adult member of the household.

\* \* \* \* \*

3. In § 225.16, revise paragraph (d) to read as follows:

**§ 225.16 Meal service requirements.**

\* \* \* \* \*

(d) *Meal patterns.* The meal requirements for the Program are designed to provide nutritious and well-balanced meals to each child. Sponsors must ensure that meals served meet all of the requirements. Except as otherwise provided in this section, the following tables present the minimum requirements for meals served to children in the Program. Children age 12 and up may be served larger portions based on the greater food needs of older children.

(1) *Breakfast.* The minimum amount of food components to be served as breakfast are as follows:

<b>Table 1 to paragraph (d)(1)</b>	
<b>Food components</b>	<b>Minimum amount</b>
<b>Vegetables and Fruits</b>	
Vegetable(s) and/or fruit(s) or	½ cup. <sup>1</sup>
Full-strength vegetable or fruit juice or an equivalent quantity of any combination of vegetable(s), fruits(s), and juice	½ cup (4 fluid ounces).
<b>Bread and Bread Alternates<sup>2</sup></b>	
Bread or	1 slice.
Cornbread, biscuits, rolls, muffins, etc. or	1 serving. <sup>3</sup>
Cold dry cereal or	¾ cup or 1 ounce. <sup>4</sup>
Cooked cereal or cereal grains or	½ cup.
Cooked pasta or noodle products or an equivalent quantity of any combination of bread/bread alternate	½ cup.
<b>Milk<sup>5</sup></b>	
Milk, fluid	1 cup ( ½ pint, 8 fluid ounces).

Meat and Meat Alternates (Optional)	
Lean meat or poultry or fish or	1 ounce.
Alternate protein product <sup>6</sup> or	1 ounce.
Cheese or	1 ounce.
Egg (large) or	$\frac{1}{2}$ .
Cooked dry beans or peas or	$\frac{1}{4}$ cup.
Peanut butter or an equivalent quantity of any combination of meat/meat alternate or	2 tablespoons.
Yogurt, plain or flavored, unsweetened or sweetened	4 ounces or $\frac{1}{2}$ cup.

<sup>1</sup>For the purposes of the requirement outlined in this table, a cup means a standard measuring cup.

<sup>2</sup>Bread, pasta or noodle products, and cereal grains (such as rice, bulgur, or corn grits) shall be whole-grain or enriched; cornbread, biscuits, rolls, muffins, etc., shall be made with whole-grain or enriched meal or flour; cereal shall be whole-grain, enriched or fortified.

<sup>3</sup>Serving sizes and equivalents will be in guidance materials to be distributed by FNS to State agencies.

<sup>4</sup>Either volume (cup) or weight (ounces), whichever is less.

<sup>5</sup>Milk shall be served as a beverage or on cereal or used in part for each purpose.

<sup>6</sup>Must meet the requirements in appendix A of this part.

(2) *Lunch or supper.* The minimum amounts of food components to be served as lunch or supper are as follows:

Table 2 to paragraph (d)(2)	
Food components	Minimum amount
Meat and Meat Alternates	
Lean meat or poultry or fish or	2 ounces.
Alternate protein products <sup>1</sup> or	2 ounces.
Cheese or	2 ounces.
Egg (large) or	1.
Cooked dry beans or peas or	$\frac{1}{2}$ cup. <sup>2</sup>
Peanut butter or soynut butter or other nut or seed butters or	4 tablespoons.
Peanuts or soynuts or tree nuts or seed <sup>3</sup> or	1 ounce = 50%. <sup>4</sup>
Yogurt, plain or flavored, unsweetened or sweetened or an equivalent quantity of any combination of the above meat/meat alternates	8 ounces or 1 cup.
Vegetables and Fruits	
Vegetable(s) and/or fruit(s) <sup>5</sup>	$\frac{3}{4}$ cup total.
Bread and Bread Alternatives <sup>6</sup>	
Bread or	1 slice.
Cornbread, biscuits, rolls, muffins, etc. or	1 serving. <sup>7</sup>
Cooked pasta or noodle products or	$\frac{1}{2}$ cup.
Cooked cereal grains or an equivalent quantity of any combination of bread/bread alternate	$\frac{1}{2}$ cup.
Milk	
Milk, fluid, served as a beverage	1 cup ( $\frac{1}{2}$ pint, 8 fluid ounces).

<sup>1</sup>Must meet the requirements of appendix A of this part.

<sup>2</sup>For the purposes of the requirement outlined in this table, a cup means a standard measuring cup.

<sup>3</sup>Tree nuts and seeds that may be used as meat alternate are listed in program guidance.

<sup>4</sup>No more than 50% of the requirement shall be met with nuts or seeds. Nuts or seeds shall be combined with another meat/meat alternate to fulfill the requirement. For purposes of determining combinations, 1 ounce of nuts or seeds is equal to 1 ounce of cooked lean meat, poultry or fish.

<sup>5</sup>Serve 2 or more kinds of vegetable(s) and/or fruits or a combination of both. Full strength vegetable or fruit juice may be counted to meet not more than one-half of this requirement.

<sup>6</sup>Bread, pasta or noodle products, and cereal grains (such as rice, bulgur, or corn grits) shall be whole-grain or enriched; cornbread, biscuits, rolls, muffins, etc., shall be made with whole-grain or enriched meal or flour; cereal shall be whole-grain, enriched or fortified.

<sup>7</sup>Serving sizes and equivalents will be in guidance materials to be distributed by FNS to State agencies.

(3) *Snacks*. The minimum amounts of food components to be served as snacks are as follows. Select two of the following four components. (Juice may not be served when milk is served as the only other component.)

<b>Table 3 to paragraph (d)(3)</b>	
<b>Food components</b>	<b>Minimum amount</b>
<b>Meat and Meat Alternates</b>	
Lean meat or poultry or fish or	1 ounce.
Alternate protein products <sup>1</sup> or	1 ounce.
Cheese or	1 ounce.
Egg (large) or	½ .
Cooked dry beans or peas or	¼ cup <sup>2</sup> .
Peanut butter or soynut butter or other nut or seed butters or	2 tablespoons.
Peanuts or soynuts or tree nuts or seeds <sup>3</sup> or	1 ounce.
Yogurt, plain or flavored, unsweetened or sweetened or an equivalent quantity of any combination of the above meat/meat alternates	4 ounce or ½ cup.
<b>Vegetables and Fruits</b>	
Vegetable(s) and/or fruit(s) or	¾ cup.
Full-strength vegetable or fruit juice or an equivalent quantity or any combination of vegetable(s), fruits(s) and juice	¾ cup (6 fluid ounces).
<b>Bread and Bread Alternates<sup>4</sup></b>	
Bread or	1 slice.
Cornbread, biscuits, rolls, muffins, etc. or	1 serving. <sup>5</sup>
Cold dry cereal or	¾ cup or 1 ounce. <sup>6</sup>
Cooked cereal or	½ cup.
Cooked cereal grains or an equivalent quantity of any combination of bread/bread alternate	½ cup.
<b>Milk<sup>7</sup></b>	
Milk, fluid	1 cup ( ½ pint, 8 fluid ounces).

<sup>1</sup>Must meet the requirements in appendix A of this part.

<sup>2</sup>For the purposes of the requirement outlined in this table, a cup means a standard measuring cup.

<sup>3</sup>Tree nuts and seeds that may be used as meat alternates are listed in program guidance.

<sup>4</sup>Bread, pasta or noodle products, and cereal grains (such as rice, bulgur, or corn grits) shall be whole-grain or enriched; cornbread, biscuits, rolls, muffins, etc., shall be made with whole-grain or enriched meal or flour; cereal shall be whole-grain, enriched or fortified.

<sup>5</sup>Serving sizes and equivalents will be in guidance materials to be distributed by FNS to State agencies.

<sup>6</sup>Either volume (cup) or weight (ounces), whichever is less.

<sup>7</sup>Milk should be served as a beverage or on cereal, or used in part for each purpose.

\* \* \* \* \*

---

Cynthia Long  
Administrator  
Food and Nutrition Service

[FR Doc. 2022-28103 Filed: 12/23/2022 8:45 am; Publication Date: 12/27/2022]